

R E M A R K S

Careful consideration has been given to the Official Action of May 5, 2006 and reconsideration of the application as amended is respectfully requested.

Election/Restriction

The election of the product inclusive of claims 1-12 is ratified herein. The election was made with traverse and in support of the traversal it is respectfully submitted that the product is not capable of being manufactured by another process particularly in view of the amendments which have been made to the claims herein. This will be explained more fully subsequently.

Drawings

The Examiner has considered that the drawings do not show the feature recited in claim 12. Although it is believed that claim 12 as originally presented is supported by the disclosure and the illustration in Figs. 1 and 2 of the drawings, amendatory action has been taken in claim 12 to delete the reference to "the dead cavity". This action is taken notwithstanding the fact that the specification clearly describes the dead cavity at page 6, line 11 and page 8, lines 2-3.

Specification

The specification has been amended to correct an obvious numerical error at page 5, line 23.

Claim Action by the Examiner

Claims 1-9 and 11 have been rejected under 35 U.S.C. 102 as being anticipated by Munari.

Claims 1-3, 5, 10 and 12 have been rejected under 35 U.S.C. 102 as being anticipated by Jenson.

Amendatory Action in the Claims

Claims 3, 5, 6 and 10 have been cancelled and the content thereof has been incorporated into claim 1. Claims 18-20 have been added and are dependent ultimately from claim 1 and are included in the elected invention. Claims 13-17 are subject to restriction.

Claim 1 as now amended includes the following features.

said body (2) is a one-piece body which is molded from said plastic material (description page 5, lines 1-2);

said body (2) is a hollow tubular body having an inner longitudinal cavity (5) extending along an axis, said cavity being surrounded by a continuous lateral surface (6) closed around the axis (original claim 10);

said longitudinal cavity (5) extends between two opposite longitudinal ends (2a, 2b): a first end (2a) is closed by an end wall (5a) , while the second end (2b) is open (original claim 3 and page 6, lines 11-14);

said longitudinal cavity (5) in the body is curved (original claim 6);

and said longitudinal cavity (5) in the body tapers towards the closed body end (2a) (original claim).

The combination of features as now recited in claim 1 is considered patentably distinct over the cited art.

In both Munari (US '694) and Lindsey (US '895) the handle body is not tubular,

and the inner cavity is not delimited by a continuous surrounding surface which is closed around the axis.

In Jenson (US '884), the handle body is open at both longitudinal ends, so there is not a wall end which closes the cavity.

Therefore, none of the cited references discloses a longitudinal cavity which is formed in a tubular body has an open axial end and a closed axial end, which is also curved and tapered towards the closed end.

Moreover, none of the cited references explicitly discloses a monolithic tubular body made of plastic and specifically molded from plastic material. A one-piece body molded from plastic material and which is also tubular and with a curved inner cavity cannot be easily manufactured.

It is also submitted that the specific shape of the inner longitudinal cavity (curved and tapered) actually allows the handle of the invention to be realized by an easy molding process. The handle 5 of the cited prior art references are definitely unsuitable to be molded in such a way.

For the same reason, it is submitted that the Election/Restriction requirement be vacated.

It is further submitted that the product (handle) cannot be made by other processes than that claimed, for example by extruding a plastic rod and forming the grip by mechanically shaping the rod as alleged by the Examiner..

In view of the amendments to product claim 1, it is impossible to obtain the claimed handle by other methods than the specific molding process as claimed.

In particular, it is not possible to extrude a one-piece body of solid plastic material

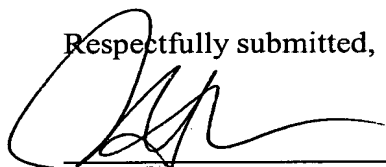
and then removing material to form a longitudinal inner cavity which is both curved and tapered,

The claimed method is the sole method for manufacturing a handle having the features of product claim 1.

It is therefore submitted that both product claims and method claims should be maintained in the same application.

In view of the above action and comments, it is respectfully submitted that favorable examination is warranted in this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Julian H. Cohen', is written over a horizontal line.

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